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FISCAL IMPACT STATEMENT

LS 6119

BILL NUMBER: SB 41

NOTE PREPARED: Mar 20, 2006

BILL AMENDED: Mar 13, 2006

SUBJECT: Division of Aging.

FIRST AUTHOR: Sen. Miller

FIRST SPONSOR: Rep. T Brown

BILL STATUS: Enrolled

FUNDS AFFECTED: X GENERAL
X DEDICATED
X FEDERAL

IMPACT: State

Summary of Legislation: *Division of Aging:* This bill establishes the Division of Aging as a division separate from the Division of Disability and Rehabilitative Services.

Self-Directed In-Home Care Program: The bill reestablishes the Self-Directed In-Home Care Program that expired July 1, 2005. The bill also requires the office of the Secretary of Family and Social Services to report to the Legislative Council before November 1, 2009, on the implementation and outcome of the program.

Licensing and Certification of Home Health and Personal Services Agencies: The bill allows the Office of the Secretary to use the survey performed by the State Department of Health when licensing a home health agency or personal services agency in determining whether to approve the entity to provide services for programs administered by the Office of the Secretary. It also requires that 51% of a center for independent living's board must have a significant disability to be considered to have consumer control.

OMPP Reporting Requirements: The bill requires the Office of Medicaid Policy and Planning (OMPP) to study certain programs and expenditures concerning long term care and report the findings to the Select Joint Commission on Medicaid Oversight.

The bill also removes obsolete references. It makes conforming amendments and a technical correction.

Effective Date: Upon Passage; July 1, 2006.

Explanation of State Expenditures: *Summary:* This bill creates the Division of Aging (DOA) and renames

the Division of Disability, Aging, and Rehabilitative Services (DDARS) as the Division of Disability and Rehabilitative Services (DDRS). The establishment of a DOA and the statutory transfer of various functions and responsibilities will not necessarily represent a fiscal impact to the state. Any costs that might be incurred from a physical relocation of offices and any expenditures that could be reduced because of operational efficiencies will depend upon administrative action.

Background Information on the Division of Aging: The Secretary of the Family and Social Services Administration is to appoint the Director of the DOA. The Director may: (1) employ experts and consultants; (2) use the services and facilities of other state agencies without reimbursement; (3) accept, in the name of the DOA, for use in carrying out the functions of the DOA, money or property received by gift, bequest, or otherwise; (4) accept voluntary and uncompensated services; (5) expend money made available to the DOA; (6) adopt rules necessary to carry out the functions of the DOA; (7) establish and implement the policies and procedures necessary to carry out the functions of the DOA; and (8) perform any other acts necessary to carry out the functions of the DOA. The Director may also hire the personnel necessary to perform the duties of the DOA.

The DOA is responsible for administering money appropriated or allocated to it. It is also responsible for administering programs administered under IC 12-10; programs under IC 12-30 to the extent that the DOA has responsibilities for the programs; and Medicaid waivers for in-home services for treatment of medical conditions.

Programs under IC 12-10 include: the Bureau of Aging Services, Commission on Aging, Adult Protective Services, Alzheimer's Disease and Related Senile Dementia Programs, the Alzheimer's Disease and Related Senile Dementia Programs Task Force, Alzheimer's and Dementia Special Care Disclosure, Residential Care Assistance, Adult Guardianship Services, Community and Home Options to Institutional Care for the Elderly and Disabled (CHOICE) Program, the CHOICE Board, Long-Term Care Services, Health Facility Preadmission Screening, Long-Term Care Ombudsman Program, Representative Payees and Bill Payers, Filing Disclosure Documents for Housing With Services Establishments, Indiana Prescription Drug Program, Individuals in Need of Self-Directed In-Home Care, and Reports of Missing Endangered Adults.

Programs under IC 12-30 include the administration of county homes and other county facilities.

Self-Directed In-Home Care Program: The bill reestablishes the Self-Directed In-Home Care Program that expired July 1, 2005. The program is currently being implemented by the Family and Social Services Administration (FSSA), thus, no fiscal impact is anticipated as a result of the provisions of the bill.

The bill requires the Office of the Secretary of Family and Social Services to submit a report to the Legislative Council before November 1, 2009, concerning the implementation and outcome of the Self-Directed In-Home Care Program. The Office would presumably be able to do so within its existing level of resources.

Licensing and Certification of Home Health and Personal Services Agencies: The bill allows FSSA to use surveys collected by the State Department of Health (from licensing home health and personal services agencies) when approving a home health or personal services agency to provide waiver services. This provision of the bill would create additional administrative duties for the FSSA from promulgation of rules and/or modification of federal waiver applications. Actual increases in administrative duties are unknown at this time.

OMPP Reporting Requirements: The bill requires OMPP to prepare and submit certain information regarding

the cost of the provision of long-term care services to the Select Joint Commission on Medicaid Oversight by October 1, 2006. The OMPP should be able to do so within its existing level of resources.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Family and Social Services Administration.

Local Agencies Affected:

Information Sources:

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